United Nations E/CN.6/2001/L.5

Economic and Social Council

Distr.: Limited
9 March 2001

Original: English

Commission on the Status of Women
Forty-fifth session
6-16 March 2001
Agenda item 3 (a)
Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century": review of mainstreaming in organizations of the United Nations system

Argentina, Guatemala*, Iceland*, Israel*, Italy, Mexico, Norway*, Turkey, Switzerland* and United States of America: draft resolution

The Commission on the Status of Women recommends to the Economic and Social Council the adoption of the following draft resolution:

Discrimination against women and girls in Afghanistan

The Economic and Social Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights,[2] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[4] the Declaration on the Elimination of Violence against Women,[5] the Convention on the Rights of the Child[6] and the optional protocols on the involvement of children in armed conflict[7] and on the sale of children, child prostitution and child

* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

[1] General Assembly resolution 217 A (III).
[2] General Assembly resolution 2200 A (XXI), annex.
[3] General Assembly resolution 39/46, annex.
[4] General Assembly resolution 34/180, annex.
[5] General Assembly resolution 48/104.
[6] General Assembly resolution 44/25, annex.
[7] General Assembly resolution 54/263, annex I.

01-28016 (E) 090301

pornography,[8] the Beijing Declaration[9] and Platform for Action,[10] the Further actions and initiatives to implement the Beijing Declaration and Platform for Action, adopted by the General Assembly at its twenty-third special session,[11] accepted humanitarian rules as set out in the Geneva Conventions of 12 August 1949,[12] and other instruments of human rights and international law,

Recalling that Afghanistan is party to the Convention on the Prevention of the Crime of Genocide,[13] the International Covenant on Civil and Political Rights,[7] the International Covenant on Economic, Social and Cultural Rights,[7] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and that it has signed the Convention on the Elimination of All Forms of Discrimination against Women,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Welcoming the substantive report of the Secretary-General to the Commission on the situation of women and girls in Afghanistan, and the conclusions contained therein, including the need to monitor and evaluate the promotion and protection of the human rights of women and girls who reside in all areas of Afghanistan,[14]

Also welcoming the report of the Special Rapporteur of the Commission on Human Rights on violence against women,[15] which found "official, widespread and systematic violation of the human rights of women in Taliban controlled areas",

[*Deploring*] the deteriorating economic, social and cultural conditions of women and girls in all areas of Afghanistan, in particular in areas under the control of the Taliban movement, as documented by the continued and substantiated reports of grave violations to the physical security and integrity as well as the human rights of women and girls, including discrimination in terms of access to health care, to level and types of education, to employment outside the home, to freedom of movement and to freedom of association,

Welcoming the fourth report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan, entitled "Interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan,"[16] and of the conclusions and recommendations contained therein, in particular his special focus on violations of the human rights of women and girls, especially in territories under the control of the Taliban faction,

---

[8] Ibid., annex II.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[10] Ibid., annex II.

[11] General Assembly resolution S-23/3, annex.

[12] United Nations, *Treaty Series*, vol. 75, No. 973.

[13] General Assembly resolution 260 A (III).

[14] E/CN.6/2001/2/Add.1.

[15] E/CN.4/2001/68/Add.4.

[16] A/55/346.

Deeply concerned about the detrimental impact of these harmful conditions on the well-being of Afghan women and the children in their care, and the detrimental effect of the restrictions to women's and girls' education and women's employment on the functions of Afghan society and the reconstruction and development of the country,

Expressing its appreciation for the international community's support of and solidarity with the women and girls of Afghanistan, being supportive of the women of Afghanistan who protest against violations of their human rights, and encouraging women and men worldwide to continue efforts to draw attention to their situation and to promote the immediate restoration of their ability to enjoy their human rights,

1. *Strongly condemns* the continuing grave violations of the human rights of women and girls, including all forms of discrimination against them in all areas of Afghanistan, particularly in areas under the control of the Taliban;

2. *Also condemns* the continued restrictions on women's access to health care and the systematic violation of the human rights of women in Afghanistan, including the restrictions on access to education and employment outside the home, on freedom of movement and on freedom from intimidation, harassment and violence, which have a serious detrimental effect on the well-being of Afghan women and the children in their care;

3. *Urges* the Taliban and other Afghan parties to recognize, protect, promote and act in accordance with all human rights and fundamental freedoms, regardless of gender, ethnicity or religion, in accordance with international human rights instruments, and to respect international humanitarian law;

4. *Urges* all the Afghan parties, in particular the Taliban, to bring to an end, without delay, all human rights violations against women and girls, and to take urgent measures to ensure:

(a) The repeal of all legislative and other measures that discriminate against women and girls and those that impede the realization of all their human rights;

(b) The effective participation of women in civil, cultural, economic, political and social life throughout the country;

(c) Respect for the equal right of women to work and their reintegration in employment in all segments of the Afghan society, as well as through the United Nations system and human rights organizations operating within Afghanistan;

(d) The equal right of women and girls to education without discrimination, the reopening of schools and the admission of women and girls to all levels of education;

(e) Respect for the right of women and girls to security of person, and that those responsible for physical attacks on women and girls are brought to justice;

(f) Respect for freedom of movement for women and girls;

(g) Respect for the effective and equal access of women and girls to the facilities necessary to protect their right to the highest attainable standard of physical and mental health;

5. *Encourages* the continuing efforts of the United Nations, international and non-governmental organizations and donors to ensure that all United Nations-assisted programmes in Afghanistan are formulated and coordinated in such a way as to promote and ensure the participation of women in those programmes, and that women benefit equally with men from such programmes;

6. *Appeals* to all States and to the international community to ensure that all humanitarian assistance to the people of Afghanistan, in conformity with the Strategic Framework for Afghanistan, is based on the principle of non-discrimination, integrates a gender perspective, and actively attempts to promote the participation of both women and men and to promote peace and respect for human rights and fundamental freedoms;

7. *Urges* States to continue to give special attention to the promotion and protection of the human rights of women in Afghanistan and to mainstream a gender perspective in all aspects of their policies and actions related to Afghanistan;

8. *Welcomes* the establishment of the positions of Gender Adviser and Human Rights Adviser in the United Nations Office of the Resident Coordinator for Afghanistan in order to ensure more effective consideration and implementation of human rights and gender concerns in all United Nations programmes within Afghanistan, taking into account the recommendations contained in the report of the inter-agency gender mission to Afghanistan conducted by the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women in November 1997;

9. *Urges* the Secretary-General to ensure that all United Nations activities in Afghanistan are carried out according to the principle of non-discrimination against women and girls, and that a gender perspective and special attention to the human rights of women and girls are fully incorporated into the work of the civil affairs unit established within the United Nations Special Mission to Afghanistan, including the training and selection of staff, and that efforts be made to enhance the role of women in preventative diplomacy, peacemaking and peacekeeping;

10. *Stresses* the importance of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan giving special attention to the human rights of women and girls and fully incorporating a gender perspective in his work;

11. *Appeals* to States and the international community to implement the recommendations of the inter-agency gender mission to Afghanistan under the leadership of the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women;

12. *Urges* all Afghan factions, in particular the Taliban, to ensure the safety and protection of all United Nations and humanitarian workers in Afghanistan and to allow them, regardless of gender, to carry out their work unhindered;

13. *Requests* the Secretary-General to continue to review the situation of women and girls in Afghanistan and to submit to the Commission on the Status of Women at its forty-sixth session a report on progress made in the implementation of the present resolution.